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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,849	01/05/2004	Dexter N. Jordan	22020.00	2481
7590	06/08/2005		EXAMINER	
Richard C. Litman LITMAN LAW OFFICES, LTD. P.O. Box 15035 Arlington, VA 22215			HUANG, SIHONG	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 06/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,849

Applicant(s)

JORDAN, DEXTER N.

Examiner

Sihong Huang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/5/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 11 and 12 are objected to because of the following informalities:

In claims 11 and 12, line 2, the term “the individual rural-type” should read as – the lockbox-type – for consistency.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rau et al. (US 5,695,113) in view of Beggarly (US 5,917,411).

Regarding claims 1 and 7, Rau et al disclosed a mailbox and notification device comprising a generally hollow cylindrical body (Fig. 1) having a flat bottom (see reference numeral 14) having a contact strip (34, see Fig. 3), a hinged front door (see Fig. 1) an light source (46) mounting on the back of the body (see Fig. 1) and a power source (18), wherein upon placing mail in the mail, the weight of the mail causes electrical contract strips into contract with each other resulting in activating the light source to notify the delivery of the mail. Rau et al differ from claims 1 and 7 of the present invention in that Rau et al does not disclose a timer, mounting an additional light source or LED on the hinged door, and lock for the mailbox.

However, Beggarly, from the same field of endeavor, teach all well known features. Beggarly,

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similarly teaches a mailbox and notification device having a LED for indicating the mail delivery (col. 5, lines 6-20), a locking mechanism for locking the door of the mailbox (col. 5, lines 43-44) and the concept of mounting a light source (30) on the hinge door for illumination and a timer (Fig. 8, 11 and 12). Based on these teachings, it would have been obvious to a person having ordinary skill in the art at the time of the invention to incorporate such well known features of Beggarly to the device of Rau et al in order to save power, protect unauthorized access into the mail box and provide illumination in front and back of the mail box.

Regarding claims 2 and 8, the limitation recited in claim 2 clearly shown by Fig. 3 of Rau et al.

Regarding claims 3 and 9, Beggarly further teaches using a battery as a power source (42)

4. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rau et al. (US 5,695,113) in view of Beggarly (US 5,917,411) as applied to claims 1-3 and 7-9 above, and further in view of Kuca (US 6,513,706 B1).

The combination of Rau et al and Beggarly further differs from claims 4 and 10 of the present invention in that it does not disclose that the power source is an electrical outlet.

However, Kuca teaches such (see 29, 31 in Fig. 1). Based on these teaching, it would have been obvious to a person having ordinary skill in the art at the time of the invention to apply the teaching of Kuca to the combination device of Rau et al and Beggarly in order to avoid the need of replacing a battery.

5. Claims 5, 6, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rau et al. in view of Beggarly as applied to claims 1-3 and 7-9 above, and further in view of Simmons (US 2002/0121543 A1).

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The combination of Rau et al and Beggarly further differs from claims 5, 6 and 11 and 12, in that it does not disclose the mailbox is a rural-type mailbox. However, Simmons teaches such (pp [0009]). Therefore, it would have been obvious to mount the combination device of Rau et al and Beggarly into any type of mail box including the rural-type mail box as taught by Simmons in order to notify the delivery of mail. The particular type of material used to form mailbox is merely a matter of design choice. Furthermore, examiner takes Office notice that the material recited in these claims for forming the mail box is extremely well know in the art and would have been obvious to use such well know material in order to protect the mail from unauthorized access or heat.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sihong Huang whose telephone number is 571-272-2958. The examiner can normally be reached on Mon & Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

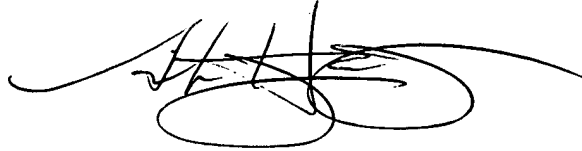
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Sihong Huang
June 6, 2005

A handwritten signature in black ink, consisting of stylized, overlapping loops and strokes, positioned to the right of the typed name and date.